

Message Text

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44

ACTION AF-18

INFO OCT-01 EUR-25 ISO-00 OMB-01 NEA-10 CU-04 CIAE-00

DODE-00 PM-07 H-03 INR-10 L-03 NSAE-00 NSC-10 PA-04

RSC-01 PRS-01 SPC-03 SS-20 USIA-15 IO-14 AID-20

ACDA-19 SCA-01 SY-10 DRC-01 /201 W

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R 140910Z JAN 74

FM AMEMBASSY KHARTOUM

TO SECSTATE WASHDC 7576

INFO AMEMBASSY BRUSSELS

C O N F I D E N T I A L KHARTOUM 0076

E.O. 11562 N/A GDS

TAGS: PINS, SU

SUBJ: KHARTOUM ASSASSINATIONS--STATUS OF APPEAL

REF: KHARTOUM 0006 AND 0040

1. EMBASSY ATTORNEY INFORMS US THAT CHIEF JUSTICE KHALAFALLA RASHID ANNOYED AT SLOW PACE OF MAGISTERIAL INQUIRY IN GENERAL AND APPEAL OF MAGISTRATE'S DECISION IN PARTICULAR. UNABLE GET PROVINCE JUDGE TO WHOM APPEAL INITIALLY ASSIGNED TO ACCELERATE ACTION, RASHID HAD REPORTEDLY ORDERED APPEAL TRANSFERRED TO MORE ENERGETIC PROVINCE JUDGE, INSTRUCTING LATTER CONSIDER APPEAL WITH DISPATCH. EMBASSY ATTORNEY BELEIVES THIS COULD MEAN DECISION ON APPEAL ISSUE IN TWO OR THREE DAYS FROM TIME PAPERS ACTUALLY RECEIVED BY SECOND PROVINCE JUDGE.

2. EMBASSY ATTORNEY ALSO HAS REPORT (FROM MAGISTRATE IN CHARGE OF INQUIRY) THAT ABUL QASSIM MUHAMMED IBRAHIM (MINHEALTH AND OFTEN PROWERFUL FIGURE IN GOVERNMENT) MET WITH PLO REP ABU KHEIR DURING NIMEIRI'S ABSENCE ON HAJ. ABUL QASSIM ALLEGED TO HAVE PROMISED ABU KHEIR HE WOULD URGE NAIMEIRI CONSIDER CASE AS POLITICAL RATHER THAN CRIMINAL MATTER. EMBASSY ATTORNEY WILL ATTEMPT CONFIRM THIS REPORT IN NEXT
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FEW DAYS.

3. COMMENT: WHILE ANY INJECTION ABUL QASSIM IN CASE
WOULD BE DISQUIETING, VIEW HIS INFLUENCE, NIMEIRI HAS BEEN
UNDER PRESSUE FROM FIRST DAYS AFTER NURDER TGOCONSIDER
CASE AS "POLITICAL" AND HAS GIVEN NO INDICATION OF DOING SO.
ACCORDINGLY WE HOPE GOS WILL CONTINUE VIEW CASE AS JUDICIAL
PROCESS WHICH MUST BE CARRIED TO COMPLETION.HUBREWER

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